

SUBMITTED VIA CM/ECF

September 10, 2025

The Honorable Ricardo S. Martinez
 United States District Court for the
 Western District of Washington
 United States Courthouse
 700 Stewart Street, Suite 13134
 Seattle, WA 98101-9906

Re: *Washington State Association of Head Start and Early Childhood Assistance and Education Program, et al. v. Robert F. Kennedy, Jr., et al.*; Case No. 2:25-cv-781-RSM

Dear Judge Martinez:

On September 9, 2025, during oral argument, Plaintiffs informed the Court that the Department of Health and Human Services (“HHS”) has adopted a new HHS Grants Policy Statement (“October 2025 GPS”), which goes into effect on October 1, 2025,¹ and submitted paper copies of the October 2025 GPS to Defendants and the Court. The Court requested a comparison version of the October 2025 GPS to indicate where the October 2025 GPS differs from the July 24, 2025 HHS Grants Policy Statement.² Counsel for Plaintiffs have created a comparison version and hereby submit it to this Court.

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| <p>Dated: September 10, 2025</p> <p>Ming-Qi Chu (<i>pro hac vice</i>) Jenessa Calvo-Friedman (<i>pro hac vice</i>) Linda S. Morris* (<i>pro hac vice</i>) <i>*admitted in State of Maryland</i> Sania Chandrani (<i>pro hac vice</i>) Lee Gelernt (<i>pro hac vice</i> forthcoming) Omar Jadwat (<i>pro hac vice</i> forthcoming) AMERICAN CIVIL LIBERTIES UNION FOUNDATION 125 Broad Street, 18th Floor New York, NY 10004 Tel: (212) 549-2500 mchu@aclu.org</p> | <p>Respectfully submitted,</p> <p>By: <u> /s/ La Rond Baker</u> La Rond Baker (WSBA No. 43610) Brent Low (WSBA No. 61795) David Montes (WSBA No. 45205) AMERICAN CIVIL LIBERTIES UNION OF WASHINGTON P.O. BOX 2728 Seattle, Washington 98111-2728 Tel: (206) 624-2184 baker@aclu-wa.org</p> <p>Kevin M. Fee (<i>pro hac vice</i>) Allison Siebeneck (<i>pro hac vice</i>) ROGER BALDWIN FOUNDATION OF ACLU, INC.</p> |
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¹ Department of Health & Human Servs., *HHS Grants Policy Statement*, Oct. 1, 2025, <https://www.hhs.gov/sites/default/files/hhs-grants-policy-statement-oct-2025.pdf>.

² Department of Health & Human Servs., *HHS Grants Policy Statement*, July 24, 2025, <https://www.hhs.gov/sites/default/files/hhs-grants-policy-statement-july-2025.pdf>.

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